

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JENNIFER GAJEWSKI,

Plaintiff,

v.

CAPITAL ONE BANK USA N.A.,

Defendant.

Case No. 17-CV-601-JPS

ORDER

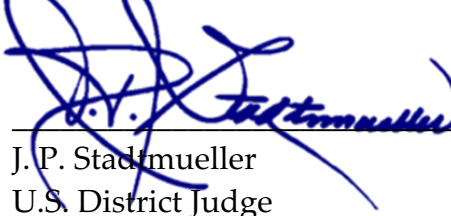
On April 27, 2017, Plaintiff filed this action alleging violations of the Telephone Consumer Protection Act. (Docket #1). Defendant has been served but has not yet responded to the complaint. *See* (Docket #5). On August 25, 2017, Plaintiff filed a notice of voluntary dismissal of this action with prejudice and without costs to either party. (Docket #9). Because Defendant has not yet responded to the complaint, the Court will adopt Plaintiff's notice. *See* Fed. R. Civ. P. 41(a)(1)(A)(i).

Accordingly,

IT IS ORDERED that Plaintiff's notice of voluntary dismissal (Docket #9) be and the same is hereby **ADOPTED**; this action be and the same is hereby **DISMISSED with prejudice**, each party to bear its own costs.

Dated at Milwaukee, Wisconsin, this 28th day of August, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge